

1  
2 BILL NO. Z-77-08- 32

3 ZONING MAP ORDINANCE NO. Z-32-77

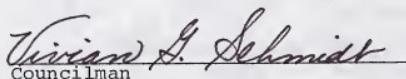
4 AN ORDINANCE amending the City of  
5 Fort Wayne Zoning Map No. C9.

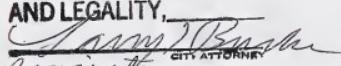
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
7 OF FORT WAYNE, INDIANA:

8 SECTION 1. That the area described as follows is  
9 hereby designated a B 3 B District under the terms of Chapter  
10 36, Municipal Code of the City of Fort Wayne, Indiana, 1946,  
11 as amended by General Ordinance No. 2836 and amendments thereof,  
12 and the symbols of the City of Fort Wayne Zoning Map No. C9,  
13 referred to therein, established by Section 9, Article III  
14 of said Chapter as amended, are hereby changed accordingly,  
15 to-wit:

16 Lots 1 through 10, inclusive, in Kincaid  
17 Addition to the City of Fort Wayne.

18 SECTION 2. This Ordinance shall be in full force  
19 and effect from and after its passage, approval by the Mayor  
and legal publication thereof.

20   
21 Councilman

22  
23  
24  
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31  
32  
33 APPROVED AS TO FORM  
34 AND LEGALITY.  
  
Associate

CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by

Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 8-23-77

Charles W. Westerman  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~AMENDMENT~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>X</u>				
<u>HINGA</u>	<u>X</u>				
<u>HUNTER</u>	<u>X</u>				
<u>MOSES</u>	<u>X</u>				
<u>NUCKOLS</u>	<u>X</u>				
<u>SCHMIDT, D.</u>	<u>X</u>				
<u>SCHMIDT, V.</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>				
<u>TALARICO</u>	<u>X</u>				

DATE: 11-8-77

Charles W. Westerman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. 3-32-77 on the 8th day of November, 1977  
ATTEST: (SEAL)

Charles W. Westerman  
CITY CLERK

John Nuckles  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 8th day of November, 1977, at the hour of 11:45 o'clock A M., E.S.T.

Charles W. Westerman  
CITY CLERK

Approved and signed by me this 10<sup>th</sup> day of November, 1977,  
at the hour of 10:00 o'clock A M., E.S.T.

Floyd Henshaw  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 23, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-08-32; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

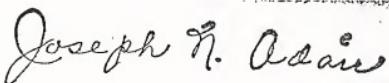
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 19, 1977.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 26, 1977.

Certified and signed this  
28th day of October, 1977.



Joseph N. Adair  
Secretary

*Galester*  
1. Extent of expansion  
2.a. zoning  
Hold until Nov 8  
Gary Baeter -

Bill No. Z-77-08-32

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. C9

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance do PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

*Vivian G. Schmidt*  
*Winfield Moses Jr.*  
*William T. Hinga*  
*Donald Schmidt*  
*Samuel J. Talarico*

11-8-77 CONCURRED IN  
DATE CHARLES W. WESTERMAN, CITY CLERK

**RECEIPT**

Date

Aug 1 77

No.

10017

Received From

Crescent Garage

Address

Fifty dollars —  
For Rescuing - lots #1 thru #10  
Kincade Odell

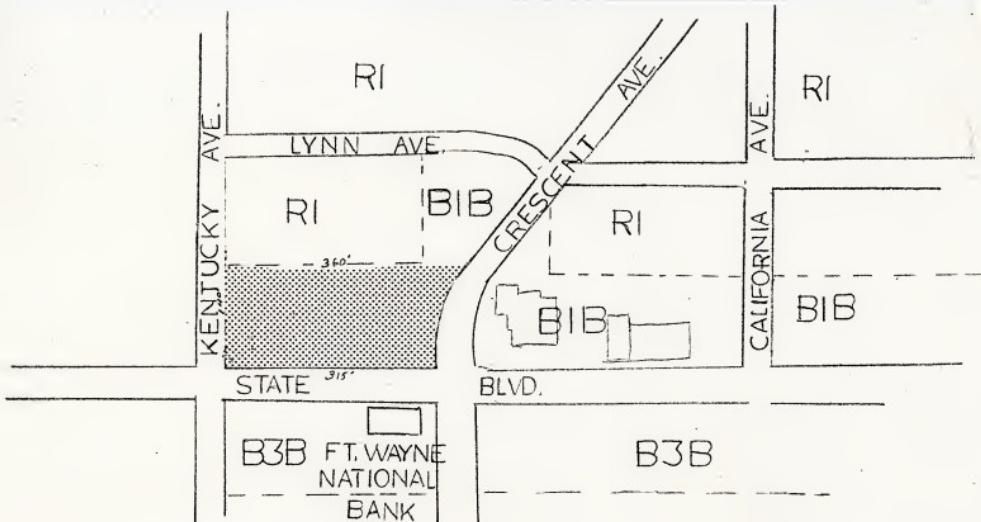
Dollars

50 00

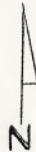
ACCOUNT	HOW PAID	
AMT. OF ACCOUNT	CASH	
AMT. PAID	<input checked="" type="radio"/> CHECK	#6018
BALANCE DUE		MONEY ORDER

CITY PLAN COMMISSION  
CITY-COUNTY BUILDING  
FORT WAYNE, INDIANA 46802

Dr.



■ REZONE FROM B1B TO B3B  
MAP NO. C9



BY MFC

6-6-77

2-17-08-32

## PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt Nō. \_\_\_\_\_

Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

We Nicholas P. Cozmas, Dr. Elvan G. Whiteleather,  
Lee Harges and Earl M. Kinnison  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/~~xx~~ "BLB" District to a/~~xx~~ "B3B" District the property described as follows:

Lots 1 through 10, inclusive, in Kincaid Addition to the City of

Fort Wayne.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

We, the undersigned, certify that ~~XXXM~~/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Nicholas P. Cozmas 1101-1105 E. STATE BLVD. 3709 WARSAW ST  
ELVAN G. WHITELEATHER C.D. 1121 EAST STATE BLVD. Elvan G. Whiteleather,  
LEE D. HARGES 1123 E. STATE BLVD. 46805 Lee D. Harges  
(Name) (Address & Zip Code) (Signature)

(If additional space is needed, use reverse side)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Barrie C. Tremper 214 Inland Bldg. - 46802 423-2574  
(Name) (Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

N

Owners of Property

Evelyn B. Whiteleather 1171 EAST STATE BLVD.  
Earl M. Klemmer 2318 1/2 Crescent Ave.  
(Name) (Address & Zip Code) (Signature)

**City Clerk Memorandum**  
**CHARLES W. WESTERMAN, Clerk**



To Mayor Robert E. Armstrong Date 11-2-77  
From Charles W. Westerman - City Clerk  
Subject Appearance before Common Council - 11-8-77

COPIES TO:

BILL NO. Z-77-08-32

AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. C9.

Pursuant to the request of the Standing Committee Chairman of  
Regulations of the Common Council, the presence of Gary Baeten &  
City Plan, is respectfully requested on November 8, 1977, at  
7:00 P.M., Room 128, Common Council Conference Room.

Council is interested in knowing more about the extent of ex-  
pansion and extent of zoning regarding Lots 1 through 10, in the  
Kincaid Addition.

Your cooperation will be greatly appreciated.

*cBullard*

Number assigned by Bill Salin's office: # 3759  
DIGEST SHEET

Admn. Appr.

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

3-77-08-32

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

Lots # 1 thru # 10, inclusive, in Kincaid Addition, bounded by East State on the south side, by Kentucky Ave. on the west, and Crescent Avenue on the east.

From "B1B" to "B3B"

EFFECT OF PASSAGE Property is presently zoned "B1B" - Limited Business.  
Petitioners are requesting a "B3B" District- General Business.

EFFECT OF NON-PASSAGE Property would remain "B1B"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)

*R. M. Salin*



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

November 14, 1977

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of November 18 and November 25, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. Z-77-09-23  
Zoning Map Ordinance No. Z-33-77

Bill No. Z-77-08-32  
Zoning Map Ordinance No. Z-32-77

Bill No. Z-77-08-31  
Zoning Map Ordinance No. Z-31-77

Bill No. G-77-08-35  
General Ordinance No. G-42-77  
Vacation of subdivision, street and  
easement

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,  
*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 4

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

.88 lines, 1 columns wide equals .88 equivalent lines at .259¢

\$ 22.79

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 24.29

PUTTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just and no part of the same has been paid.

V.E. Gerken

Title CLERK

November 25, 1977

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

11/18-25/77

ATTACH COPY OF  
ADVERTISEMENT HERE

Subscribed and sworn to before me this 25th day of November 1977

Notary Public

My commission expires September 28, 1979

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1977, at the hour of 11:45 o'clock A.M., S.T.

Charles W. Westerman City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on Zoning Map Ordinance No. 2-77 passed by the Common Council on the 10th day of November, 1977, and is set out in full in the City of Fort Wayne, Indiana, on the 10th day of November, 1977, at the hour of 11:45 o'clock A.M., S.T.

Charles W. Westerman City Clerk

Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M., S.T.

Charles W. Westerman Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the Zoning Map Ordinance No. 2-77 passed by the Common Council on the 10th day of November, 1977, and is set out in full in the City of Fort Wayne, Indiana, on the 10th day of November, 1977 and remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 10th day of November, 1977.

Charles W. Westerman City Clerk

## Form Prescribed by State Board of Accounts

Common Council of Fort Wayne  
(Governmental Unit)

To... THE NEWS-SENTINEL

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

88 lines, 1 columns wide equals 88 equivalent lines at .259¢  
cents per line

\$ 22.79

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

## TOTAL AMOUNT OF CLAIM

\$ 24.29

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*V.E. Gerken*

Date November 25, 1977

Title CLERK

TACH COPY OF  
RTISEMENT HERE

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the  
undersigned V.E. GERKEN who, being duly sworn, says  
that she is CLERK of the NEWS-SENTINELa DAILY newspaper of general circulation printed and published  
in the English language in the city of FORT WAYNE, INDIANA  
in state and county aforesaid, and that the printed matter attached hereto is a true copy,  
which was duly published in said paper for 2 time(s), the dates of publication being  
as follows:

11/18-25/77

*J. Gerken*

Subscribed and sworn to before me this 25th day of November 1977

Notary Public

My commission expires September 28, 1979

32-77 passed by the Common Council  
on the 8th day of November, 1977,  
and that said resolution was duly  
signed and approved by the Mayor on  
the 10th day of November, 1977 and  
now remains on file and on record in  
my office.

WITNESS my hand, and the official  
seal of the City of Fort Wayne, Indiana,  
this 10th day of November, 1977.  
Charles W. Westerman  
City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines \_\_\_\_\_  
  

Body number of lines \_\_\_\_\_  
86

Tail number of lines \_\_\_\_\_  
2

Total number of lines in notice \_\_\_\_\_  
88

## COMPUTATION OF CHARGES

88 lines 1 columns wide equals 88 equivalent lines at .2594 cents per line \$ 22.79

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

## TOTAL AMOUNT OF CLAIM

\$ 24.29

## PUTING COST

9.9 No. of single column 1/4 ems Size of type 5 1/2 point

No. of insertions 2 Size of quad upon which type is cast 5 1/2

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

CLERK

Title

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLE DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of \_\_\_\_\_ in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

11/18-25/77
19.77Subscribed and sworn to before me this 25th day of Nov.

ACH COPY OF  
TISEMENT HEREMy commission expires September 28, 1979

Presented to me by the Mayor of the City of Fort Wayne, Indiana, on the 9th day of November, 1977, at the hour of 11:45 o'clock A.M., E.S.T.  
Charles W. Westerman  
City Clerk  
Approved and signed by me this 10th day of November, 1977, at the hour of 10:00 o'clock A.M., E.S.T.  
Robert E. Armstrong  
City Clerk  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-32-77 passed by the Common Council on the 8th day of November, 1977, and is also certified that the same was signed and approved by the Mayor on the 10th day of November, 1977 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 19th day of November, 1977.  
Charles W. Westerman  
City Clerk

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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## COMPUTATION OF CHARGES

88 lines, 1 columns wide equals 88 equivalent lines at .259¢ cents per line

\$ 22.79

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 24.29

## DATA FOR COMPUTING COST

Width of single column  $\frac{9}{16}$  ems

Size of type  $5\frac{1}{2}$  point

Number of insertions 2

Size of quad upon which type is cast  $5\frac{1}{2}$ 

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 25, 1977

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DE TOLD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
 DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

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Notary Public

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